

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *Dy* D.C.
05 SEP -2 PM 4:20

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WD OF TN, MEMPHIS

MICHAEL LUSTER,

Plaintiff,

v.

Case No. 03-2244-Ma

**ML TENNESSEE APARTMENTS LP,
et al.,**

Defendants.

JUDGMENT

This action came on for trial before the Court and a jury on May 23, 2005, the Honorable Samuel H. Mays, Jr., U.S. District Judge, presiding;

On June 1, 2005, after due deliberation and consideration of the proof presented, the jury returned a verdict as follows:

That defendants ML Tennessee Apartments and Equity Residential Properties Management Corporation were negligent and that said negligence was a legal cause of plaintiff Michael Luster's claimed injuries and losses.

That plaintiff Michael Luster was negligent and that aid negligence was a legal cause of plaintiff Michael Luster's claimed injuries and losses.

That the percentage of fault attributed was forty-five (45%) percent as to plaintiff Michael Luster and fifty-five (55%) percent as to defendants ML Tennessee Apartments and Equity Residential Properties Management Corporation.

That the total amount of damages sustained by plaintiff Michael Luster is \$2,500,000.00.

APPROVED:



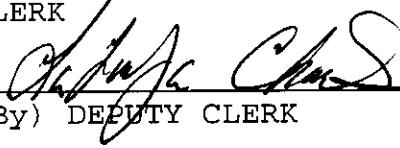
SAMUEL H. MAYS, JR.
UNITED STATES DISTRICT JUDGE

DATE

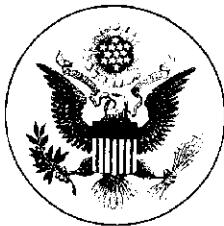
September 2, 2005

THOMAS M. GOULD

CLERK



(By) DEPUTY CLERK



Notice of Distribution

This notice confirms a copy of the document docketed as number 110 in case 2:03-CV-02244 was distributed by fax, mail, or direct printing on September 8, 2005 to the parties listed.

Y. Kevin Williams
WEINBERG WHEELER HEDGINS GUNN & DIALS, LLC
950 East Paces Ferry Road
Ste. 3000
Atlanta, GA 30326

Brian P. Strength
COCHRAN CHERRY GIVENS & SMITH
P.O. Box 830419
Tuskegee, AL 36083

Robert D. Flynn
SPICER FLYNN & RUDSTROM
80 Monroe Ave.
Ste. 500
Memphis, TN 38103

Jock M. Smith
COCHRAN CHERRY GIVENS & SMITH
P.O. Box 830419
Tuskegee, AL 36083

Danese K. Banks
COCHRAN CHERRY GIVENS SMITH & BOLTON
One Commerce Square
Ste. 2600
Memphis, TN 38103

Christopher T. Byrd
WEINBERG WHEELER HEDGINS GUNN & DIAL, LLC
950 East Paces Ferry Road
Ste. 3000
Atlanta, GA 30326

Jeffery S. Glatstein
SPICER FLYNN & RUDSTROM
80 Monroe Ave.
Ste. 500
Memphis, TN 38103--246

Thomas M. Gould
U.S. DISTRICT COURT
242 Federal Bldg.
167 No. Main St.
Memphis, TN 38103

Honorable Samuel Mays
US DISTRICT COURT